

## **Remarks**

Claims 1-4, 6-9 and 11 are allowed. Claims 5 and 10 stand rejected. Claims 5 and 7 are amended herein. Claim 6 is canceled herein; thus, claims 1-5 and 7-11 remain pending. The Assignee respectfully traverses the rejections and requests allowance of claims 1-5 and 7-11.

### **Claim Amendments**

Independent claim 5 is amended to further include register memory for storing constants of capacitive feedback. As this limitation is promoted from claim 6, claim 6 is canceled herein. Also, claim 7 is amended to depend from claim 5 instead of now-canceled claim 6.

### **Claim Rejection Under 35 U.S.C. § 102**

Claims 5 and 10 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,367,023 to Kling et al. (hereinafter “Kling”). (Page 2 of the final Office action.) The Assignee respectfully traverses the rejections in light of the current amendment to independent claim 5.

Amended claim 5 now includes register memory for storing constants of capacitive feedback. As this provision was promoted from claim 6, which was previously allowed (see the “Office Action Summary” of the final Office action), the Assignee respectfully asserts that claim 5 is allowable in view of Kling, and such indication is respectfully requested.

Claim 10 depends from, and thus incorporates the provisions of, independent claim 5. Thus, the Assignee asserts that claim 10 is also allowable for at least the reasons cited above, and such indication is respectfully requested.

Therefore, in light of the foregoing, the Assignee respectfully requests withdrawal of the 35 U.S.C. § 102 rejection of claims 5 and 10.

### **Indication of Allowable Subject Matter**

The final Office action indicates that claims 1-4, 7-9 and 11 are allowable over the art of record. (Office Action Summary of the final Office action.) As a result, the patentability of these claims is not discussed herein. Further, the Assignee thanks the Examiner for his consideration of these claims.

Conclusion

Based on the above remarks, the Assignee submits that claims 1-5 and 7-11 are allowable. The Assignee thus respectfully requests allowance of claims 1-5 and 7-11.

The Assignee believes no fees are due with respect to this filing. However, should the Office determine additional fees are necessary, the Office is hereby authorized to charge Deposit Account No. 08-2025 accordingly.

Respectfully submitted,

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**SIGNATURE OF PRACTITIONER**

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